

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

11/30/1999

CLERK OF THE COURT
FORM R027

HONORABLE DAVID R. COLE

D. Sauerzopf
Deputy

CR 1999-001440

FILED: _____

STATE OF ARIZONA

RICHARD L. NOTHWEHR
KENNETH N. VICK
KATHLEEN L. WIENEKE
ANTHONY M. NOVITSKY

v.

ROBERT TORRES MORENO

DANIEL CARRION
W. CLIFFORD GIRARD JR.
CHRISTOPHER MCBRIDE
JOSEPH ABODEELY

PHX JUSTICE CT-CENTRAL

SHARON WOLFKIEL

8:48 a.m. State is represented by above-named counsel. Defendants are not present, but are represented by announcing counsel.

Court Reporter, Terry Masciola, is present.

Discussion is held between Court and counsel regarding numerous documents to be marked as State's Exhibit 3.

Defense counsel requests the following:

1. That a substantive hearing be set;
2. That an Order to Show Cause re: Contempt as to DPS be issued;
3. That a discovery cutoff date be set;
4. That additional depositions be completed or that the Court set this matter for a continuing evidentiary hearing.

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State's Exhibit 3 is marked for identification and received in evidence.

THE COURT FINDS that it is premature to set a hearing on the substantive issues at this time.

IT IS ORDERED reserving ruling on the request to issue a "show cause" order to DPS.

IT IS FURTHER ORDERED setting a discovery cutoff date of December 31, 1999.

IT IS FURTHER ORDERED denying the request for additional depositions.

IT IS FURTHER ORDERED setting this matter for a **Continuing Evidentiary Hearing on the Defendant's Motion to Disqualify** on **December 21, 1999 at 9:00 a.m.** in this division.

Sharon Wolfkiel addresses the Court and provides her Motions to Dismiss/Suppress, which requests an Evidentiary Hearing in State v. Litzell.

Judge Steven McMurry addresses the Court regarding the issue.

Argument is presented to the Court.

IT IS ORDERED taking this matter under advisement.

9:26 a.m. Matter concludes.

LATER:

IT IS ORDERED that the oral motion to stay proceedings in State v. Litzell, Central Phoenix Justice Court Cause No. TR99-4125/4126, is **granted**.

IT IS FURTHER ORDERED that the above-referenced cause shall **not** be consolidated with State v. Moreno, et al, Maricopa County Superior Court Cause No. CR 99-01440.